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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

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10 VICTORIA MESSINA,

11 Plaintiff,

Case No. 2:17-CV-00274-KJD-CWH

12 v.

ORDER

13 ALBERTSON'S LLC, *et al.*,

14 Defendants.

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16 Presently before the Court is the Report and Recommendation of Magistrate Judge C.W.
17 Hoffman, Jr. (#29) filed September 28, 2017 recommending that Plaintiff's motion for summary
18 judgment be denied as moot. Though the time for doing so has passed, no objections to the Report
19 and Recommendation have been filed.

20 The Court will affirm the magistrate judge's ruling unless it is clearly erroneous or contrary to
21 law. The Court finds that the magistrate judge's Report and Recommendation (#29) is neither clearly
22 erroneous nor contrary to law under Federal Rule of Civil Procedure 72(a). See 28 U.S.C. §
23 636(b)(1)(A). This Court does not have a definite and firm conviction that a mistake has been made.
24 See Weeks v. Samsung Heavy Indus. Co. Ltd., 126 F.3d 926, 943 (7th Cir. 1997).

25 Accordingly, **IT IS HEREBY ORDERED** that the Report and Recommendation of
26 Magistrate Judge C.W. Hoffman, Jr. (#29) is **ADOPTED and AFFIRMED**;

IT IS FURTHER ORDERED that Plaintiff's Motion for Summary Judgment (#21) is **DENIED as moot.**

DATED this 27TH day of October 2017.



Kent J. Dawson
United States District Judge